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*Attorneys for Defendants Juan Carrillo Sotelo
dba Sotelo Air; Sotelo Air, Inc. dba Cool Air Now; and
Juan Carrillo Sotelo, Individually*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TRUSTEES OF THE PLUMBERS AND	)	CASE NO.: 2:13-cv-00657-RFB-NJK
PIPEFITTERS UNION LOCAL 525 HEALTH)	
AND WELFARE TRUST AND PLAN;	)	Consolidated With:
TRUSTEES OF THE PLUMBERS AND	)	CASE NO.: 2:14-cv-01609-RFB-NJK
PIPEFITTERS UNION LOCAL 525 PENSION)	
PLAN; AND THE TRUSTEES OF THE	)	STIPULATION AND ORDER TO
PLUMBERS AND PIPEFITTERS LOCAL UNION	)	STRIKE EXHIBITS CONTAINING
525 APPRENTICE AND JOURNEYMAN	)	AFFIDAVIT OF TIM NAAS; AND TO
TRAINING TRUST FOR SOUTHERN NEVADA,	)	WITHDRAW PLAINTIFFS' MOTION
	)	TO STRIKE EXHIBITS CONTAINING
Plaintiffs,	)	AFFIDVIT OF TIM NAAS
vs.	)	(DOC. #169)
)	
JUAN CARRILLO SOTELO DBA SOTELO AIR;)	
SOTELO AIR, INC., DBA COOL AIR NOW;)	
AEGIS SECURITY INSURANCE COMPANY, A)	
PENNSYLVANIA CORPORATION; AMERICAN)	
SAFETY CASUALTY INSURANCE COMPANY,)	
A GEORGIA CORPORATION,)	
)	
Defendants.)	
)	

1 TRUSTEES OF THE PLUMBERS AND)
 2 PIPEFITTERS NATIONAL PENSION FUND)
 3 AND INTERNATIONAL TRAINING FUND,)
 4)
 5 Plaintiffs,)
 6 vs.)
 7)
 8 JUAN CARRILLO SOTELO DBA SOTELO AIR;)
 9 SOTELO AIR, INC. DBA COOL AIR NOW;)
 10 JUAN CARRILLO SOTELO, AN INDIVIDUAL;)
 11 JOHN DOES I-X AND ROE CORPORATIONS I-)
 12 X, INCLUSIVE,)
 13)
 14 Defendants.)
 15)
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**STIPULATION AND ORDER TO STRIKE EXHIBITS CONTAINING
 AFFIDAVIT OF TIM NAAS; AND TO WITHDRAW PLAINTIFFS' MOTION TO
 STRIKE EXHIBITS CONTAINING AFFIDVIT OF TIM NAAS (DOC. #169)**

Defendants, Juan Carrillo Sotelo dba Sotelo Air; Sotelo Air, Inc. dba Cool Air Now; and Juan Carrillo Sotelo, individually, by and through their counsel, Patricia A. Marr, Esq., of the law firm of Patricia A. Marr, Ltd., and Mark R. Smith, Esq., of the Law Offices of Mark R. Smith, P.C. and Plaintiffs, Trustees of the Plumbers and Pipefitters Union Local 525 Health and Welfare Trust and Plan; Trustees of the Plumbers and Pipefitters Union Local 525 Pension Plan; and The Trustees of the Plumbers and Pipefitters Local Union 525 Apprentice and Journeyman Training Trust for Southern Nevada, by and through their counsel, Christopher M. Humes, Esq., of the law firm of Brownstein Hyatt Farber Schreck, LLP, hereby stipulate and agree, as follows:

1. Exhibits containing and text referencing the Affidavit of Tim Naas shall be stricken from Defendants' Opposition to Plaintiffs' Renewed Motion for Summary Judgment (Doc. #87, filed October 15, 2015 - the "Original Opposition"). *See* Original Opp., at 5:24-26 and Ex. F attached thereto at SoteloAIR000096.
2. Exhibits containing and citations referencing the Affidavit of Tim Naas shall be stricken from Defendants' Renewed Opposition to Plaintiffs' Renewed Motion for Summary Judgment (Doc. #145, filed October 14, 2016 - the "New Opposition"). *See* New Opp., at 5:13, 7:6 and Ex. E attached thereto.

1 3. The Motion to Strike Exhibits Containing the Affidavit of Tim Naas, which
2 was filed by Plaintiffs Trustees of the Plumbers and Pipefitters Union Local
3 525 Health and Welfare Trust and Plan; Trustees of the Plumbers and
4 Pipefitters Union Local 525 Pension Plan; and The Trustees of the Plumbers
5 and Pipefitters Local Union 525 Apprentice and Journeyman Training Trust for
6 Southern Nevada (Doc. #169, filed November 10, 2016) is hereby withdrawn.

7 4. Based upon the foregoing stipulation and agreement between the parties,
8 Defendants shall not be required to file a formal response to the
9 aforementioned Motion to Strike Exhibits Containing the Affidavit of Tim
10 Naas.

11 **IT IS SO STIPULATED AND AGREED.**

12 DATED this 6th Day of February, 2017.

13 **LAW OFFICES OF MARK R. SMITH, P.C.**

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*Attorneys for Defendants, Juan Carrillo Sotelo, dba Sotelo Air;
Sotelo Air, Inc. dba Cool Air Now; and Juan Carrillo Sotelo, individually*

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1 DATED this 6th Day of February, 2017.

2 **BROWNSTEIN HYATT FARBER SCHRECK, LLP**

3 By: /s/ Christopher M. Humes

4 Adam P. Segal, Esq.

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14 *Attorneys for Plaintiffs, Trustees of the Plumbers and Pipefitters*

15 *Union Local 525 Health and Welfare Trust and Plan; Trustees of*

16 *the Plumbers and Pipefitters Union Local 525 Pension Plan; and*

17 *The Trustees of the Plumbers and Pipefitters Local Union 525*

18 *Apprentice and Journeyman Training Trust for Southern Nevada*

19 **ORDER**

20 Having reviewed and considered the stipulation of the parties set forth above, and good
21 cause appearing, it is hereby ORDERED that:

- 22 1. Exhibits containing and text referencing the Affidavit of Tim Naas are hereby
23 stricken from Defendants' Opposition to Plaintiffs' Renewed Motion for
24 Summary Judgment (Doc. #87, filed October 15, 2015 - the "Original
25 Opposition"). *See* Original Opp., at 5:24-26 and Ex. F attached thereto at
26 SoteloAIR000096.
- 27 2. Exhibits containing and citations referencing the Affidavit of Tim Naas are
28 hereby stricken from Defendants' Renewed Opposition to Plaintiffs' Renewed
Motion for Summary Judgment (Doc. #145, filed October 14, 2016 - the "New
Opposition"). *See* New Opp., at 5:13, 7:6 and Ex. E attached thereto.
3. The Motion to Strike Exhibits Containing the Affidavit of Tim Naas, which
was filed by Plaintiffs Trustees of the Plumbers and Pipefitters Union Local
525 Health and Welfare Trust and Plan; Trustees of the Plumbers and
Pipefitters Union Local 525 Pension Plan; and The Trustees of the Plumbers

1 and Pipefitters Local Union 525 Apprentice and Journeyman Training Trust for
2 Southern Nevada (Doc. #169, filed November 10, 2016) is hereby withdrawn.

- 3 4. Defendants shall not be required to file a formal response to the
4 aforementioned Motion to Strike Exhibits Containing the Affidavit of Tim
5 Naas. (Doc. #169).

6 **IT IS SO ORDERED.**

7 DATED this 13th Day of February, 2017.

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10 HONORABLE RICHARD F. BOULWARE, II
11 UNITED STATES DISTRICT JUDGE
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